

April 12, 1973

SENATOR LUEDTKE: Alright. The, the Supreme Court opinion merely stated that the defendant, that there had to be notice in case of, in case of taking possession of proper--property, detain it under the replevin action, so this particular amendment only states that the filing of such an affidavit and the request for delivery, they will agree to delivery that they may execute a voluntary and knowing waiver under oath of the notice. In other words, an individual will acknowledge notice and rights of waiver so that the Supreme Court opinion can be fully satisfied..

SPEAKER: Is there any discussion of this amendment? Are you ready for the question? All those in favor of the amendment, say aye. Those opposed no. The amendment is adopted. Are there further amendments, Mr. Clerk? Mr. Clerk, are there any further amendments to the bill?

CLERK: None, Mr. President.

SPEAKER: Senator DeCamp, what will you do with the bill?

SENATOR DECAMP: Move it be advanced. It's been explained. It was made necessary by a Supreme Court decision. It's just a correction.

SPEAKER: Any further discussion? Are you ready for the question? Question is shall the bill as amended be advanced? That's LB 474. All those in favor vote aye. Those opposed vote no. If you intend to vote, will you please do so. This requires 25 votes. Clerk will record.

CLERK: 26 ayes, Mr. President.

SPEAKER: The next bill is LB 528, however, the chairman and the vice chairman of the committee are gone and I think another member so we'll pass it over. We'll go to LB 493. Clerk will read.

CLERK: Legislative Bill 493. (read). There are committee amendments by Senator Kremer's Public Works Committee.

SPEAKER: Senator Kremer.

SENATOR KREMER: Mr. Chairman, these amendments were brought by the county and merely provide that if the county does build a service road, it stipulates who has to pay for it in the amendment. It also provides that, that if a service road is built that the adjoining landowners cannot be denied reasonable means of egress and ingress. I move for the adoption of the committee amendments.

SPEAKER: Any further discussion of the committee amendments? If not, are you ready for the question? All those in favor of the committee amendments, say aye. Those opposed no. Committee amendments are adopted--

CLERK: All right now, Mr. President, I have an amendment by Senator Keyes (read)

SPEAKER: Senator Keyes.

SENATOR KEYES: Mr. President I move the acceptance of this amendment. All this does, it says that when a county road is coming up and into the city, that the city may exercise the same authority as the county does in seeing that the development or the access is controlled. It's just a clarification of who has the jurisdiction when the city and the county come together so I move for the adoption of the amendment.